



# FAX TRANSMITTAL

NJ Department of Environment Protection  
NORTHERN BUREAU OF HAZARDOUS WASTE COMPLIANCE &  
ENFORCEMENT

Date: 4/20/06

# OF PGS INCLUDING COVER 20

TO: Abdul Jabbar

OFFICE: USEPA Region 2

Fax #: 212/637-4949

FROM: Martin Sanchez

FAX # (973) 631-6331

PHONE #: (973) 656-4470

SUBJECT: 10/20/05 Elan inspection

MESSAGE: As requested

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**Compliance Evaluation Summary****Activity:** SCI050001 \*Standard Compliance Inspection (NJD042895680)**Start Date/Time:** 10/20/2005 13:10**End Date/Time:** 10/20/2005 15:20**Lead Investigator:** Czachor, Boleslaw**Other Investigators:****Persons Interviewed:** Mr. Ben Armenti, Vice Pres. of Operations, tel. 973-344-8014;**Witnesses:**

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**Program Interest:** NJD042895680 ELAN CHEMICALS INC (HW GENERATOR)  
268 DOREMUS AVE  
Newark City, Essex County

Block 5014, Lot 8, 8A, 9A &amp; 21

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**Responsible Entities:** ELAN CHEMICAL CO

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**Comments:** The location is manufacturer of aromatic chemicals, flavors and fragrances for food and fragrance industries. Process operations, a basic components such as: alcohols, acids, flavors and non-halogenated solvents are blended in by batch processes using reactors. Then solvents are separated from finish product in distillation process. The finish product is packed into a 55 Gal. drums and send to customer. The solvents are reused in consecutive batches until their quality is exhausted, then they are pumped directly into a 10,000 Gal. above ground storage tank, and once a month a shipment of 5,000 Gal. of F003/F005/D001 is send for disposal at Marisol Inc. Based on that information the location appears to be a LQG. The facility contingency plan, which is a part of DPCC plan is due for renewal on Oct. 17, 05, personnel training session was conducted on 06/04/05, and locals updated as off 01/16/03. Location has on site w/w treatment plant, consisted of three pits, collector, ph adjustment, and discharge pit, operating under PVSC permit, renewed on 10/17/05.

Recyclables: scrap metal is removed by Cinelli Scrap Metal Co., cardboard paper goes to Galaxy recycling, regular garbage goes to Waste Management Co., and plastic is taken by Tunnelle Recycling of Secacus, NJ. Location appeared to be in good maintenance and no problems were noticed.

## Compliance Evaluation Report

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Start Date: 10/20/2005

Activity: SC1050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJ042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)

Subject Item: HLGT - Generator LQG Tank Reqts

Operating Status: No status specified.

Comments: No comments added.

*GENERATOR REQUIREMENTS	H	Rules
	<input type="checkbox"/>	T
Did the generator determine if its solid waste is hazardous?.[40 CFR 262.11]	IC	Rules
	<input type="checkbox"/>	T
Did the generator obtain an EPA ID number?.[40 CFR 262.12(a)]	IC	Rules
	<input type="checkbox"/>	T
Does the generator offer hazardous waste to a transporter or TSD that has an EPA ID number and/or is properly licensed and registered with the Department?.[40 CFR 262.12(c)]	IC	Rules
	<input type="checkbox"/>	T
*THE MANIFEST	H	Rules
	<input type="checkbox"/>	T
Did the generator prepare a manifest before transporting or offering for transport hazardous waste off-site?.[40 CFR 262.20(a)]	IC	Rules
	<input type="checkbox"/>	T
Did the generator designate an authorized facility on the manifest?.[40 CFR 262.20(b)]	IC	Rules
	<input type="checkbox"/>	T
Did the generator designate an alternate facility or accept waste back in the event the transporter could not deliver the waste?.[40 CFR 262.20(d)]	IC	Rules
	<input type="checkbox"/>	T
Did the generator use approved manifest forms from the Department for intrastate shipments of hazardous waste in New Jersey or for hazardous waste originating in another state destined for New Jersey?.[40 CFR 262.21(a)]	IC	Rules
	<input type="checkbox"/>	T
Did the generator use approved manifest forms for hazardous waste originating in New Jersey and destined for another state?.[40 CFR 262.21(b)]	IC	Rules
	<input type="checkbox"/>	T
Did the generator sign the manifest?.[40 CFR 262.23(a)(1)]	IC	Rules
	<input type="checkbox"/>	T
Did the generator obtain the signature of initial transporter and date of acceptance on the manifest?.[40 CFR 262.23(a)(2)]	IC	Rules
	<input type="checkbox"/>	T

IC - In Compliance  
 PV - Potential Violation  
 DC - Data Collection

ND - Compliance Not Determined  
 NC - No Obvious Concern

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 ON - Out of Compliance, Non-referred

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 Y - Yes

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Activity: SC1050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJD042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)

Subject Item: HLGT - Generator LQG Tank Repts

Operating Status: No status specified.

Comments: No comments added.

Did the generator retain one copy of manifest or forward one copy to the state of origin or one to the state of destination?.[40 CFR 262.23(a)(3)]	IC <input type="checkbox"/>	Rules T
Did the generator supply the transporter with remaining copies of manifest?.[40 CFR 262.23(b)]	IC <input type="checkbox"/>	Rules T
Did the generator send at least 3 copies of the signed and dated manifest for rail shipments of hazardous waste within the U.S. to next non-rail transporter, designated facility, or last rail transporter in the U.S.?.[40 CFR 262.23(d)]	NA <input type="checkbox"/>	Rules T
*PRE-TRANSPORT REQUIREMENTS	H <input type="checkbox"/>	Rules T
Did the generator ship waste off site within 90 days?.[40 CFR 262.34(a)]	Y <input type="checkbox"/>	Rules T
Did the generator place waste in containers, in tanks, on drip pads, or in containment buildings in accordance with 262.34(a)(1)?.[40 CFR 262.34(a)(1)]	IC <input type="checkbox"/>	Rules T
Did the generator clearly mark container with date when accumulation period begins?.[40 CFR 262.34(a)(2)]	IC <input type="checkbox"/>	Rules T
Did the generator make mark visible for inspection?.[40 CFR 262.34(a)(2*)]	IC <input type="checkbox"/>	Rules T
Did the generator clearly mark each container or tank with the words "Hazardous Waste"?.[40 CFR 262.34(a)(3)]	IC <input type="checkbox"/>	Rules T
Did the generator who accumulates waste for greater than 90 days comply with all disposal facility requirements?.[40 CFR 262.34(b)]	IC <input type="checkbox"/>	Rules T
*RECORDKEEPING AND REPORTING	H <input type="checkbox"/>	Rules T
Did the generator keep copy of manifest for 3 years?.[40 CFR 262.40(a)]	IC <input type="checkbox"/>	Rules T

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Activity: SCI050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJD042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)



Subject Item: HLGT - Generator LQG Tank Reqt

Operating Status: No status specified.

Comments: No comments added.

Did the generator keep copy of hazardous waste report or exception report for 3 years?.[40 CFR 262.40(b)]	IC <input type="checkbox"/>	Rules T
Did the generator keep records of any test results, waste analyses, or other determinations for 3 years?.[40 CFR 262.40(c)]	IC <input type="checkbox"/>	Rules T
Did the generator submit hazardous waste report of manifest activities by March 17.[40 CFR 262.41(a)]	IC <input type="checkbox"/>	Rules T
Did the generator who treats, stores or disposes of hazardous waste on-site submit hazardous waste report covering those wastes?.[40 CFR 262.41(b)]	IC <input type="checkbox"/>	Rules T
Did the generator of greater than 1000 kg of hazardous waste comply with exception reporting requirements?.[40 CFR 262.42(a)]	IC <input type="checkbox"/>	Rules T
*STATE ONLY GENERATOR REQUIREMENTS	H <input type="checkbox"/>	Rules T
Does the generator properly complete the manifest?.[N.J.A.C. 7:26G-6.1(c)5]	IC <input type="checkbox"/>	Rules T
Did the generator use proper waste code(s) that accurately describe the shipment of hazardous waste, determined according to the waste hierarchy?.[N.J.A.C. 7:26G-6.2]	IC <input type="checkbox"/>	Rules T
Did the transporter contact generator for instructions or did the generator give transporter instructions when a facility immediately rejects all or part of a shipment of hazardous waste or the transporter is unable to deliver the hazardous waste to the designated facility?.[N.J.A.C. 7:26G-6.3(a)1]	IC <input type="checkbox"/>	Rules T
Did the generator comply with manifest requirements for shipments of hazardous waste returned to the generator?.[N.J.A.C. 7:26G-6.3(a)1i]	IC <input type="checkbox"/>	Rules T
Did the generator comply with manifest requirements when a facility rejects all or part of a shipment of hazardous waste and the manifest has been distributed by the facility?.[N.J.A.C. 7:26G-6.3(a)2]	IC <input type="checkbox"/>	Rules T
Did the facility provide required classroom or on-the-job training for facility personnel?.[40 CFR 265.16(a)(1)]	IC <input type="checkbox"/>	Rules T

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Activity: SCI050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJD042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)

Subject nom: HLGT - Generator LQG Tank Repts

Operating Status: No status specified.

Comments: No comments added.

Did the facility provide a training program that is directed by a person trained in hazardous waste management procedures?.[40 CFR 265.16(a)(2)]	IC <input type="checkbox"/>	Rules T
Did the facility provide, at a minimum, a training program which is designed to ensure that facility personnel are able to respond effectively to emergencies?.[40 CFR 265.16(a)(3)]	IC <input type="checkbox"/>	Rules T
Did facility personnel successfully complete the training program required in 265.16(a) within 6 months?.[40 CFR 265.16(b)]	IC <input type="checkbox"/>	Rules T
Did facility personnel take part in an annual review of the initial training required in 265.16(a)?.[40 CFR 265.16(c)]	IC <input type="checkbox"/>	Rules T
Did the facility maintain training records at the facility?.[40 CFR 265.16(d)]	IC <input type="checkbox"/>	Rules T
Did the facility keep training records until closure?.[40 CFR 265.16(e)]	IC <input type="checkbox"/>	Rules T
*PREPAREDNESS AND PREVENTION	H <input type="checkbox"/>	Rules T
Did the facility maintain or operate facility to minimize possibilities of fire, explosion or releases of hazardous waste or hazardous waste constituents?.[40 CFR 265.31]	IC <input type="checkbox"/>	Rules T
Was the facility equipped with emergency equipment?.[40 CFR 265.32]	IC <input type="checkbox"/>	Rules T
Did the facility test and maintain emergency equipment?.[40 CFR 265.33]	IC <input type="checkbox"/>	Rules T
Did the facility maintain access to communications or alarm system?.[40 CFR 265.34]	IC <input type="checkbox"/>	Rules T
Did the facility maintain sufficient aisle space for the unobstructed movement of personnel or equipment in an emergency?.[40 CFR 265.35]	IC <input type="checkbox"/>	Rules T

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Activity: SC1050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJD042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)

Subject Item: HLGT - Generator LQG Tank Repts

Operating Status: No status specified.

Comments: No comments added.

Did the facility make required arrangements with police or fire departments, emergency response contractors, equipment suppliers, or local hospitals, or document any such authority's refusal of such arrangements?.[40 CFR 265.37]

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## \*CONTINGENCY PLAN AND EMERGENCY PROCEDURES

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Did the facility have a contingency plan designed to minimize hazards to human health and the environment?.[40 CFR 265.51(a)]

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Did the contingency plan describe actions to be taken in response to fires, explosions, or release?.[40 CFR 265.52(a)]

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Did the facility amend its SPCC (40 C.F.R. 112 or part 1510 of chapter V) or DPCC (N.J.A.C. 7:1E) Plan to incorporate hazardous waste management provisions?.[40 CFR 265.52(b)]

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Did the contingency plan describe arrangements agreed to by local police or fire departments, hospitals, contractors, or State or local emergency response teams?.[40 CFR 265.52(c)]

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Did the contingency plan list name, addresses, or phone numbers of persons qualified to act as emergency coordinator?.[40 CFR 265.52(d)]

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Did the contingency plan list emergency equipment, updated as required, with its location, description, or capabilities specified?.[40 CFR 265.52(e)]

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Did the contingency plan include evacuation procedure for personnel including signals, evacuation routes or alternate evacuation routes?.[40 CFR 265.52(f)]

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Was the contingency plan maintained at facility with a copy sent to local police or fire departments, hospitals, or State or local emergency response teams?.[40 CFR 265.53]

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Did the facility review or amend contingency plan as necessary?.[40 CFR 265.54]

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Was the emergency coordinator thoroughly familiar with plan or available at all times?.[40 CFR 265.55]

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Lead Investigator: Czachor, Boleslaw

NJD042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)

Subject Item: HLGT - Generator LQG Tank Reqs

Operating Status: No status specified.

Comments: No comments added.

*USE AND MANAGEMENT OF CONTAINERS	H	No huz. waste is managed in containers.	Rules
	<input type="checkbox"/>		T
Did the facility handle hazardous waste in containers of good condition?.[40 CFR 265.171]	NA		Rules
	<input type="checkbox"/>		T
Did the facility use container compatible with hazardous waste stored?.[40 CFR 265.172]	NA		Rules
	<input type="checkbox"/>		T
Did the facility comply with requirements for the management of containers?.[40 CFR 265.173]	NA		Rules
	<input type="checkbox"/>		T
Did the facility perform inspection of each area where containers are stored?.[40 CFR 265.174]	NA		Rules
	<input type="checkbox"/>		T
Did the facility store containers holding ignitable or reactive wastes at least 50 feet from property line?.[40 CFR 265.176]	NA		Rules
	<input type="checkbox"/>		T
Did the facility comply with each of the special requirements for incompatible wastes?.[40 CFR 265.177]	NA		Rules
	<input type="checkbox"/>		T
Did the facility comply with 265, Subparts AA, BB, and CC?.[40 CFR 265.178]	IC		Rules
	<input type="checkbox"/>		T
*TANK SYSTEMS	H		Rules
	<input type="checkbox"/>		T
Did the facility obtain and keep a written assessment by a professional engineer attesting to existing tank system's integrity?.[40 CFR 265.191(a)]	IC		Rules
	<input type="checkbox"/>		T
Did the written assessment comply with the requirements at 265.191(b)?.[40 CFR 265.191(b)]	IC		Rules
	<input type="checkbox"/>		T
Did the facility assess the integrity of a tank within 12 months of a material becoming a hazardous waste?.[40 CFR 265.191(c)]	IC		Rules
	<input type="checkbox"/>		T

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# Compliance Evaluation Report

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Start Date: 10/20/2005

Activity: SCIOS0001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJD042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)

Subject Item: HLGT - Generator LQG Tank Reqs

Operating Status: No status specified.

Comments: No comments added.

Did the facility have written assessment by a professional engineer attesting that the system has sufficient structural strength?.[40 CFR 265.192(a)]	IC <input type="checkbox"/>	Rules T
Did the facility have a new tank inspected by a qualified installation inspector or engineer for damage prior to covering, enclosing or placing in use?.[40 CFR 265.192(b)]	NA The tank is not a new. <input type="checkbox"/>	Rules T
Did the facility owner or operator of new tank system or components use appropriate backfill material?.[40 CFR 265.192(c)]	NA <input type="checkbox"/>	Rules T
Did the facility have a new tank and ancillary equipment tested for tightness prior to covering, enclosing or placing in use?.[40 CFR 265.192(d)]	NA <input type="checkbox"/>	Rules T
Did the facility have ancillary equipment supported and protected from settlement, vibration, expansion, or contraction?.[40 CFR 265.192(e)]	IC <input type="checkbox"/>	Rules T
Did the facility provide proper corrosion protection for new tank systems?.[40 CFR 265.192(f)]	IC <input type="checkbox"/>	Rules T
Did the facility obtain and keep on record certifications from those professionals responsible for tank system design and installation?.[40 CFR 265.192(g)]	IC <input type="checkbox"/>	Rules T
Did the facility install secondary containment for hazardous waste tanks within the time frames outlined in 265.193(a)?.[40 CFR 265.193(a)]	IC The tank is located inside tank farm. <input type="checkbox"/>	Rules T
Was the secondary containment system designed, installed, and operated to prevent migration of wastes or accumulated liquid out of system?.[40 CFR 265.193(b)(1)]	IC <input type="checkbox"/>	Rules T
Did the secondary containment system detect and collect releases and accumulated liquids?.[40 CFR 265.193(b)(2)]	IC <input type="checkbox"/>	Rules T
Did the containment system consist of material compatible with wastes stored or have sufficient strength and thickness?.[40 CFR 265.193(c)(1)]	IC <input type="checkbox"/>	Rules T
Did the facility construct secondary containment unit on a base or foundation capable of providing support and resistance to pressure gradients?.[40 CFR 265.193(c)(2)]	IC <input type="checkbox"/>	Rules T

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Start Date: 10/20/2005

Activity: SC1050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJ0042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)

Subject Item: HLGT - Generator LQG Tank Reqs

Operating Status: No status specified.

Comments: No comments added.

Did the facility construct secondary containment with a leak detection system that is designed and operated to detect the failure of containment structure(s) or the presence of a release?.[40 CFR 265.193(c)(3)]	IC <input type="checkbox"/>	Rules T
Did the facility remove accumulated precipitation or spilled or leaked waste from secondary containment within 24 hours?.[40 CFR 265.193(c)(4)]	IC <input type="checkbox"/>	Rules T
Did the facility provide secondary containment featuring an approved device?.[40 CFR 265.193(d)]	IC <input type="checkbox"/>	Rules T
Did the external liner system meet requirements at 265.193(e)1?.[40 CFR 265.193(e)(1)]	IC <input type="checkbox"/>	Rules T
Did the vault system meet requirements at 265.193(e)2?.[40 CFR 265.193(e)(2)]	NA <input type="checkbox"/>	Rules T
Did the double-walled tank meet requirements at 265.193(e)3?.[40 CFR 265.193(e)(3)]	NA <input type="checkbox"/>	Rules T
Did the facility provide secondary containment for ancillary equipment?.[40 CFR 265.193(f)]	IC <input type="checkbox"/>	Rules T
Did the facility prevent hazardous wastes or treatment reagents from being placed in tank system if they can cause the tank, its ancillary equipment, or containment system to rupture, leak, corrode, or otherwise fail?.[40 CFR 265.194(a)]	NA <input type="checkbox"/>	Rules T
Did the facility use appropriate controls and practices to prevent spills and overflows from tanks or containment systems?.[40 CFR 265.194(b)]	IC <input type="checkbox"/>	Rules T
Did the facility inspect overflow/spill control equipment each operating day?.[40 CFR 265.195(a)(1)]	IC <input type="checkbox"/>	Rules T
Did the facility inspect aboveground portions of tank system for corrosion or releases of waste each operating day?.[40 CFR 265.195(a)(2)]	IC <input type="checkbox"/>	Rules T
Did the facility inspect data gathered from monitoring and leak detection equipment each operating day?.[40 CFR 265.195(a)(3)]	IC <input type="checkbox"/>	Rules T

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Start Date: 10/20/2005

Activity: SC1050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJD042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)



Subject Item: HLG - Generator LQG Tank Repts

Operating Status: No status specified.

Comments: No comments added.

Did the facility inspect construction materials and area immediately surrounding tank system for erosion or signs of releases each operating day?.[40 CFR 265.195(a)(4)]	IC <input type="checkbox"/>	Rules T
Did the facility inspect cathodic protection systems?.[40 CFR 265.195(b)]	NA <input type="checkbox"/>	Rules T
Did the facility document inspections in facility operating record?.[40 CFR 265.195(c)]	IC <input type="checkbox"/>	Rules T
Did the facility cease using a tank from which a release occurred or which is unfit for use?.[40 CFR 265.196(a)]	NA <input type="checkbox"/>	Rules T
Did the facility remove waste from a tank in which a release occurred within 24 hours in order to affect repairs on the unit?.[40 CFR 265.196(b)]	NA <input type="checkbox"/>	Rules T
Did the facility prevent further migration of the release to soils or water or remove and dispose of any visible contamination of soil or water?.[40 CFR 265.196(c)]	NA <input type="checkbox"/>	Rules T
Did the facility report a release within 24 hours or submit a spill report within 30 days?.[40 CFR 265.196(d)]	NA <input type="checkbox"/>	Rules T
Did the facility comply with 265.196(e)2-4 prior to placing a tank back in service following a release?.[40 CFR 265.196(e)]	NA <input type="checkbox"/>	Rules T
Did the facility obtain a professional engineer's certification prior to placing a tank back in service following a major repair?.[40 CFR 265.196(f)]	NA <input type="checkbox"/>	Rules T
Did the facility at closure remove or decontaminate all waste residues, contaminated containment system components, contaminated soils, structures, etc?.[40 CFR 265.197(a)]	NA <input type="checkbox"/>	Rules T
Did the facility that has a tank system without secondary containment comply with requirements at 265.197(c)?.[40 CFR 265.197(c)]	NA <input type="checkbox"/>	Rules T
Did the facility meet specific requirements before placing ignitable or reactive waste in a tank?.[40 CFR 265.198(a)]	IC <input type="checkbox"/>	Rules T

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Start Date: 10/20/2005

Activity: SC1050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJ042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)

Subject item: HLG1 - Generator LQG Tank Reqs

Operating Status: No status specified.

Comments: No comments added.

Did the facility storing or treating ignitable or reactive wastes in tanks comply with NFPA's buffer zone requirements for tanks?.[40 CFR 265.198(b)]	IC <input type="checkbox"/>	Rules T
Did the facility prevent the placing of incompatible wastes, or wastes and materials, in same tank, except in compliance with 265.17(b)?.[40 CFR 265.199(a)]	NA <input type="checkbox"/>	Rules T
Did the facility prevent the placing of hazardous waste in a tank which is not decontaminated and previously held incompatible waste, except in compliance with 265.17(b)?.[40 CFR 265.199(b)]	NA <input type="checkbox"/>	Rules T
Did the facility utilizing a tank system conduct waste analysis and trial treatment or storage tests before treating/storing different waste or using a different process?.[40 CFR 265.200]	IC <input type="checkbox"/>	Rules T
Did the facility comply with 265, Subparts AA, BB, and CC?.[40 CFR 265.202]	IC <input type="checkbox"/>	Rules T
*LAND DISPOSAL RESTRICTIONS - GENERAL	H <input type="checkbox"/>	Rules T
Did the generator ensure that a restricted waste is not in any way diluted as a substitute for treatment?.[40 CFR 268.3(a)]	IC <input type="checkbox"/>	Rules T
Did the generator determine if the hazardous waste is restricted from land disposal?.[40 CFR 268.7(a)(1)]	IC <input type="checkbox"/>	Rules T
Did the generator send a one-time written notice with the initial waste shipment to the treatment or storage facility when the waste does not meet the treatment standard or place a copy in the file?.[40 CFR 268.7(a)(2)]	IC <input type="checkbox"/>	Rules T
Did the generator send a one-time written notice and certification with the initial waste shipment to the treatment, storage, or disposal facility when the waste meets the treatment standard or place a copy in the file?.[40 CFR 268.7(a)(3)]	IC <input type="checkbox"/>	Rules T
Did the generator of waste exempt from meeting treatment standards before being land disposed send a one-time written notice with the initial waste shipment to the land disposal facility or place a copy in the file?.[40 CFR 268.7(a)(4)]	IC <input type="checkbox"/>	Rules T
Did the generator who is managing and treating prohibited waste develop and follow a written waste analysis plan or keep plan on site?.[40 CFR 268.7(a)(5)]	IC <input type="checkbox"/>	Rules T

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Operating Status: No status specified.

Comments: No comments added.

Did the generator retain on site all data used to determine if a waste is restricted?.[40 CFR 268.7(a)(6)]	IC <input type="checkbox"/>	Rules T
Did the generator keep a one-time notice on site stating that he is managing a restricted waste that is excluded from the definition of hazardous or solid waste subsequent to the point of generation and noting the disposition of the waste?.[40 CFR 268.7(a)(7)]	IC <input type="checkbox"/>	Rules T
Did the generator retain documentation required by 268.7 for 3 years or longer during the course of any unresolved enforcement action or as requested by the Department?.[40 CFR 268.7(a)(8)]	IC <input type="checkbox"/>	Rules T
Did the generator using the alternative treatment standards for lab packs send a one-time written notice and certification with the initial waste shipment to the treatment facility or place a copy in the file?.[40 CFR 268.7(a)(9)]	IC <input type="checkbox"/>	Rules T
Did the generators who first claim that hazardous debris is excluded from the definition of hazardous waste meet the proper notification and certification requirements?.[40 CFR 268.7(d)]	IC <input type="checkbox"/>	Rules T
Did the generator of a waste that displays a hazardous characteristic determine the underlying hazardous constituents in the waste?.[40 CFR 268.9(a)]	IC <input type="checkbox"/>	Rules T
Did the generator ensure a prohibited waste exhibiting a characteristic complies with the treatment standards under 268, Subpart D before being land disposed?.[40 CFR 268.9(c)]	IC <input type="checkbox"/>	Rules T
Did the generator of a waste that once exhibited a characteristic but is no longer hazardous place a one-time notification and certification in its files or send to the Department?.[40 CFR 268.9(d)]	IC <input type="checkbox"/>	Rules T
*PROHIBITIONS ON LAND DISPOSAL	H <input type="checkbox"/>	Rules T
*TREATMENT STANDARDS	H <input type="checkbox"/>	Rules T
Did they meet treatment standard requirements found in the table in 268.40 before land disposing of prohibited waste?.[40 CFR 268.40]	NA <input type="checkbox"/>	Rules T
Did they meet treatment standards before land disposing for hazardous debris?.[40 CFR 268.45]	NA <input type="checkbox"/>	Rules T

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DC - Data Collection

ND - Compliance Not Determined  
NC - No Obvious Concern

OC - Out of Compliance  
ON - Out of Compliance, Non-referred

NA - Not Applicable  
Y - Yes

NI - Not Inspected  
N - No

Start Date: 10/20/2005

Activity: SCI050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJ0042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)



Subject Item: HLGT - Generator LQG Tank Regts

Operating Status: No status specified.

Comments: No comments added.

Did they meet treatment standards for underlying hazardous constituents? [40 CFR 268.48]	NA	Rules
	<input type="checkbox"/>	T

Subject Item: HLQA - Large Quantity Generator - Assigned

Operating Status: No status specified.

Comments: No comments added.

Large Quantity Generator - Assigned	H	Rules
	<input type="checkbox"/>	T

Subject Item: HSCC - Subpart CC Checklist

Operating Status: No status specified.

Comments: No comments added.

*AIR EMISSIONS - SUBPART CC CHECKLIST.	H	Rules
	<input type="checkbox"/>	T

The Subpart CC regulations apply to Large Quantity Generators and Treatment, Storage and/Disposal Facilities that manage Hazardous Waste of Volatile Organic Concentration of 500ppmw or more on an average annual basis in Tanks and Containers.	IC	Rules
	<input type="checkbox"/>	T

For Tank Storage, there are two levels that a facility may use to manage their waste. Tank Level 1 requires a fixed roof tank which uses a maximum organic vapor pressure to comply with Subpart CC. Tank Level 2 designs can be one of five options. These are: (1) an Internal Floating Roof (2) an External Floating Roof (3) a tank with a Fixed Roof vented through a closed vent system to a control device (4) a Pressure Tank (5) a tank located inside an enclosure that is vented through a closed vent system to an enclosed combustion device.	IC	Rules
	<input type="checkbox"/>	T

Most of the facilities will comply with Tank Level 1 which is the easiest to follow. The other option that will be seen a lot would be Tank level 2 Option 3. The other options will be limited to a small number of facilities and should be referred to EPA for inspection. As a result, the emphasis of this checklist has been these two options.	IC	Rules
	<input type="checkbox"/>	T

1. (a) Is this facility a TSD or a Large Quantity Generator?	IC LQG	Rules
	<input type="checkbox"/>	T

If the answer is no, STOP, Air Emissions-Subpart CC regulations do not apply.	IC	Rules
	<input type="checkbox"/>	T

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# Compliance Evaluation Report

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Start Date: 10/20/2005

Activity: SCI050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJD042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)

Subject Item: HSCC - Subpart CC Checklist

Operating Status: No status specified.

Comments: No comments added.

2. (a) Are there any units at the facility subject to the CC Rule?	IC <input type="checkbox"/>	Rules T
(b) If the answer is no, what is the reason? Ref. 40 CFR 265.1080(b) (264.1080(b) exceptions or 265.1083(c) (264.1082(c)) exemptions, or the general exclusions in 265.1(g) (264.1(g)), as applicable.	Y <input type="checkbox"/>	Rules T
*40 CFR 1080(b) exemptions:.	H <input type="checkbox"/>	Rules T
(1) Unit did not receive HW after 12/6/96.	IC <input type="checkbox"/>	Rules T
(2) Using containers of less than 26 gallons capacity.	IC <input type="checkbox"/>	Rules T
(3) Unit undergoing closure.	IC <input type="checkbox"/>	Rules T
(4) Units used in an on-site RCRA or CERCLA clean-up.	IC <input type="checkbox"/>	Rules T
(5) Mixed Radioactive and hazardous waste.	IC <input type="checkbox"/>	Rules T
(6) Units with CAA, NESHAPS or NSPS controls.	IC <input type="checkbox"/>	Rules T
(7) Tanks with process vents (Subject to Subpart AA).	IC <input type="checkbox"/>	Rules T
*40 CFR 265.1083(c) exemptions:	H <input type="checkbox"/>	Rules T
(8) Waste stream less than 500 ppmw average VOC. If so, was waste determination done per 265.1084?	IC <input type="checkbox"/>	Rules T

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Y - Yes

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N - No

Start Date: 10/20/2005

Activity: SC1050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJ0042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)



Subject Item: HSCC - Subpart CC Checklist

Operating Status: No status specified.

Comments: No comments added.

(9) All waste placed in unit meets 268.40 (LDR) limits.	IC <input type="checkbox"/>	Rules T
(10) Tank is used for bulk feed to incinerator and requirements of 265.1083(5)(i)-(iii) are met.	IC <input type="checkbox"/>	Rules T
*40 CFR 265.1 general exclusions/exemptions:.	H <input type="checkbox"/>	Rules T
(11) Hazardous waste recycling unit exemption.	IC <input type="checkbox"/>	Rules T
(12) Satellite accumulation area.	IC <input type="checkbox"/>	Rules T
(13) Totally enclosed treatment facility exemption.	IC <input type="checkbox"/>	Rules T
(14) Elementary neutralization unit(corrosive).	IC <input type="checkbox"/>	Rules T
(15) Waste water treatment in tanks exemption.	IC <input type="checkbox"/>	Rules T
(16) Emergency or spill management exemption.	IC <input type="checkbox"/>	Rules T
Except If exemption is based on (8) above, then STOP, subpart CC does not apply.	IC <input type="checkbox"/>	Rules T
3. Is the average volatile organic concentration of each waste management unit more than 500 ppmw determined on an average annual basis at point of waste origination?.	IC <input type="checkbox"/>	Rules T
If yes, does the facility have a list each unit and the concentration in its operating record? If no, indicate if the determination for each unit is in the facility operating record?.	IC <input type="checkbox"/>	Rules T

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Start Date: 10/20/2005

Activity: SCI050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJ042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)



Subject Item: HSCC - Subpart CC Checklist

Operating Status: No status specified.

Comments: No comments added.

NOTE: IF FACILITY CLAIMS THAT ITS WASTE IS BELOW 500PPM, THEN THE WASTE DETERMINATION DOCUMENTATION SHOULD BE IN THE OPERATING RECORD. INSPECTOR SHOULD REVIEW THIS DOCUMENTATION AND SUBMIT IT TO EPA.	IC <input type="checkbox"/>	Rules T
*FOR EACH UNIT, FOR WHICH A DETERMINATION HAS BEEN MADE THAT THE HAZARDOUS WASTE CONTAINS LESS THAN 500 PPM OF VOCs, ANSWER THE FOLLOWING QUESTIONS.	H <input type="checkbox"/>	Rules T
4. How was waste determination done? Using Knowledge or Sampling? Ref 40 CFR 265.1084 (264.1083).	IC <input type="checkbox"/>	Rules T
(a) If Knowledge was used, is there any documentation on file?.	IC <input type="checkbox"/>	Rules T
(b) Is it adequate?.	IC <input type="checkbox"/>	Rules T
(c) If sampling was used, does the facility have a written sampling plan?.	IC <input type="checkbox"/>	Rules T
(d)(i) If facility used sampling, was the sampling done by an EPA approved method?.	IC <input type="checkbox"/>	Rules T
(e) Has the waste stream changed since the initial waste determination was done which would cause the character of the waste to change or to exceed the threshold levels for applicability of Subpart CC?.	IC <input type="checkbox"/>	Rules T
(f) If so, was a new waste determination done? If yes, repeat 4(a)-(e) .	IC <input type="checkbox"/>	Rules T
*TANKS SUBJECT TO SUBPART CC.	H <input type="checkbox"/>	Rules T
5. (a) Is HW having an average VO concentration of more than 500 ppmw placed in a tank with either level 1 or level 2 controls? (40 CFR 265.1085(b)(1)).	IC <input type="checkbox"/>	Rules T

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Y - Yes

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N - No

Start Date: 10/20/2005

Activity: SCI050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJ042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)

Subject Item: HSCC - Subpart CC Checklist

Operating Status: No status specified.

Comments: No comments added.

Please note: The fixed roof and its closure devices shall be visually inspected by the owner/operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the roof sections or between the the roof and the tank walls; broken, cracked or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. An initial inspection should be done before any waste is stored in the tank and at least once annually thereafter.

NA

Rules

☐

T

6. Were the tanks inspected for leaks before waste was placed into the tank? If yes, when was it done?

IC

Rules

☐

T

7. Was an annual inspection done on the tanks described in Question 6? If yes, when was it done?

IC

Rules

☐

T

Indicate options/level for each tank.

IC

Rules

☐

T

For tanks with level 1 control:

IC

Rules

☐

T

Tank must meet 3 conditions for level 1 control:

IC

Rules

☐

T

(1) Waste maximum organic vapor pressure less than cutoff for tank design capacity.

IC

Rules

☐

T

(2) No heating to or above temperatures at which vapor pressure is determined.

IC

Rules

☐

T

(3) No waste stabilization in tank.

IC

Rules

☐

T

Vapor pressure is determined by knowledge or by measurement.

IC

Rules

☐

T

Compliance Status:

IC

Rules

☐

T

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Y - Yes

N - No

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Start Date: 10/20/2005

Activity: SC1050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJ 0012995680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)

Subject Item: HSCC - Subpart CC Checklist

Operating Status: No status specified.

Comments: No comments added.

NOTE: INSPECTOR SHOULD CHECK FOR VAPOR PRESSURE DETERMINATIONS, COLLECT INFORMATION AND BRING IT BACK TO OFFICE.	IC <input type="checkbox"/>	Rules T
FOR TANKS WITH LEVEL 2/OPTION 3 CONTROLS OPTION 3- FIXED ROOF TANK VENTING THROUGH A CLOSED VENT SYSTEM, TO A CONTROL DEVICE THAT WOULD DESTROY OR REDUCE AT LEAST 95% OF VAPORS.	IC <input type="checkbox"/>	Rules T
(i) Is the fixed roof forming a continuous barrier over the entire surface area of the liquid in the tank?	IC <input type="checkbox"/>	Rules T
(ii) Are emissions vented to a control device?	IC <input type="checkbox"/>	Rules T
(iii) Are all openings in the roof not venting to the control device fixed with a closure device?	NA <input type="checkbox"/>	Rules T
(iv) If the vapor pressure underneath the fixed roof cover is less than atmospheric pressure when control device is working, and the closure device is closed, are there any visible cracks, holes, gaps, or other open spaces between cover opening and closure device?	IC <input type="checkbox"/>	Rules T
(v) If the vapor pressure below the fixed roof cover is equal to or greater than atmospheric pressure when the control device is working, are the cover and closure device designed to operate at NDE.	IC <input type="checkbox"/>	Rules T
(vi) Are the cover and closure devices closed at all times and the vapor headspace vented to a control device except when O/O is performing inspections, performing maintenance or other normal operations, accessing the tank or removing accumulated sludge and other residues from the bottom of the tank.	IC <input type="checkbox"/>	Rules T
NOTE: INSPECTOR SHOULD COLLECT MONITORING DATA FROM THE CONTROL DEVICE AND THE DESIGN DATA AND BRING IT BACK TO THE OFFICE FOR REVIEW. ALL OTHER OPTIONS, REFER TO EPA.	IC <input type="checkbox"/>	Rules T
Is the facility in compliance?	Y <input type="checkbox"/>	Rules T
Provide the basis for your determination.	IC Good housekeeping. <input type="checkbox"/>	Rules T

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# Compliance Evaluation Report

Page 18 of 18

Start Date: 10/20/2005

Activity: SC1050001 \*Standard Compliance Inspection

Lead Investigator: Czachor, Boleslaw

NJD042895680 ELAN CHEMICALS INC, Newark City (HW GENERATOR)

Subject Item: SW40 - Solid Waste Recycling Questionnaire

Operating Status: No status specified.

Comments: No comments added.

RECYCLING SCREENING CHECKLIST	H	Rules
	<input type="checkbox"/>	T
GENERAL OFFICE WASTE	H	Rules
	<input type="checkbox"/>	T
Does the company separate recyclable galss, paper, plastics, cardboard, metals from the regular office trash and store these items in separate containers (or in accordance with county/municipal ordinances)? (If "No", select PV)	Y	Rules
	<input type="checkbox"/>	T
Does the company have a written contract with a private refuse removal firm or does the county/municipality provide this service? Please provide the name of the firm or county/municipality. (If no written contract for "private services", select PV)	Y	Rules
	<input type="checkbox"/>	T
If the company has a contract with a private firm, are the recycling services articulated in the contract/billing statements? (If "No", select PV)	Y Waste Management Co.,	Rules
	<input type="checkbox"/>	T
Does the refuse removal firm pick up the recyclables separate from the general office trash or is both office trash and recyclables mixed in the same truck? (If recyclables are not picked up separately and are mixed with the office trash, select PV)	IC	Rules
	<input type="checkbox"/>	T

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